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Attorneys for Defendant  
SAFEWAY, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LESTER HOGAN,

Plaintiff,

vs.

SAFEWAY STORES, a California  
Corporation,

Defendants.

Case No. CV 10-04262 JF

**STIPULATION AND ORDER  
TO FILE A FIRST AMENDED  
COMPLAINT**

COMES NOW Plaintiff LESTER HOGAN and Defendant SAFEWAY STORES, INC. by and through its attorneys and Stipulate that Plaintiff shall be granted leave to file a First Amended Complaint, a copy of which is attached hereto and marked Exhibit A.

By entering into this stipulation Defendant Safeway Stores, Inc. does not waive any defenses that it may have to the claims in the First Amended Complaint, and does not admit any allegations in

1 the First Amended Complaint.

2 Defendant SAFEWAY STORES, INC. is granted thirty (30) days to  
3 respond to said Amended Complaint after service of it upon  
4 Defendant SAFEWAY STORES, INC.

5  
6 Dated:1/18/2011

/S/Frank E. Mayo  
Frank E. Mayo, Attorney  
For Plaintiff LESTER HOGAN

8 SAFEWAY, INC.

9 Dated:1/18/2011

By: /S/Stephen Q. Rowell, Esq.  
Stephen Q. Rowell, Attorney  
Defendant SAFEWAY STORES, INC.

12  
13 IT IS SO ORDERED

14  
15 Dated: 1/20/11

  
UNITED STATES DISTRICT JUDGE  
HON. ~~JAMES WARE~~ JEREMY FOGEL